

FILED
05 DEC 22 AM 9:09
U.S. DISTRICT COURT
JACKSON, TENNESSEE
4 DC

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION, AT JACKSON

EUGENE WILBUR, and)
wife, GLORIA JEAN WILBUR,)
)
Plaintiffs,)
)
v.)
)
WAL-MART STORES. INC.,)
)
Defendant.)

DOCKET NO. 1-05-1233- T AN

**~~PROPOSED~~ CONSENT ORDER GRANTING JOINT MOTION FOR PLAINTIFFS TO
AMEND COMPLAINT TO NAME WAL-MART STORES EAST, L.P. AS DEFENDANT
AND DISMISS WAL-MART STORES, INC. WITHOUT PREJUDICE**

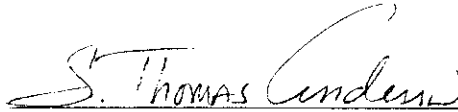
It appearing to the Court, as evidenced by the signatures of legal counsel for both the
Plaintiffs and the Defendant, that:

- (a) Wal-Mart Stores, Inc. is an improperly named party in this cause; and
- (b) The proper entity name for the Defendant is Wal-Mart Stores East, L.P.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Plaintiffs are
hereby permitted to amend their Complaint to name Wal-Mart Stores East, L.P. as the proper
Defendant in this matter.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Wal-Mart Stores, Inc.
is hereby dismissed without prejudice.

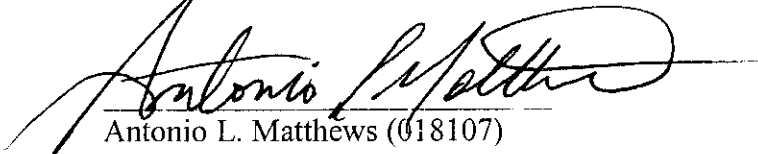
IT IS SO ORDERED.



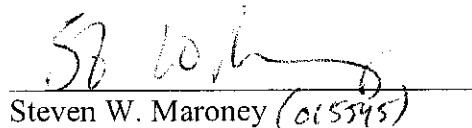
S. Thomas Anderson
United States Magistrate Judge

Date: December 21, 2005

APPROVED FOR ENTRY:



Antonio L. Matthews (018107)
Attorney for Defendant
Baker, Donelson, Bearman, Caldwell & Berkowitz
165 Madison Avenue, Suite 2000
Memphis, Tennessee 38103
901-577-2385



Steven W. Maroney (015545)
Attorney for Plaintiffs
87 Murray Guard Drive
P.O. Box 10788
Jackson, Tennessee 38308-0113



Notice of Distribution

This notice confirms a copy of the document docketed as number 11 in case 1:05-CV-01233 was distributed by fax, mail, or direct printing on December 23, 2005 to the parties listed.

Paul M. Newman
Carroll County Courthouse
99 Court Square, Suite 103
Huntingdon, TN 38344

Antonio L. Matthews
BAKER DONELSON BEARMAN CALDWELL & BERKOWITZ
165 Madison Ave.
Ste. 2000
Memphis, TN 38103

Steven W. Maroney
TEEL MCCORMACK & MARONEY
87 Murray Guard Dr.
Jackson, TN 38305

Honorable James Todd
US DISTRICT COURT